

Filed for intro on 01/19/95  
House Bill \_\_\_\_\_  
By \_\_\_\_\_

Senate Bill No.SJR0019  
By Wright

A RESOLUTION to oppose the issuance of federal mandates  
which are beyond the scope of the powers given  
to the U.S. Congress under the 10th  
Amendment of the U.S. Constitution.

WHEREAS, the 10th Amendment to the Constitution of the United States reads as  
follows:

“The powers not delegated to the United States by the Constitution, nor prohibited by it  
to the States, are reserved to the states respectively, or to the people”; and

WHEREAS, the 10th Amendment defines the total scope of federal power as being that  
specifically granted by the United States Constitution and no more; and

WHEREAS, the scope of power defined by the 10th Amendment means that the federal  
government was created by the states specifically to be an agent of the states; and

WHEREAS, today the states are demonstrably treated as agents of the federal  
government; and

WHEREAS, many federal mandates are directly in violation of the 10th Amendment to  
the Constitution of the United States; and

WHEREAS, the United States Supreme Court has ruled in New York v. United States,  
112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and  
regulatory processes of the states; and

WHEREAS, a number of proposals, some now pending, may further violate the United States Constitution; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the state of Tennessee hereby claims sovereignty under the 10th Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the United States Constitution.

BE IT FURTHER RESOLVED, that this statement serve as notice and demand to the federal government, as our agent, to cease and desist, effective immediately, mandates that are beyond the scope of its constitutionally designated powers.

BE IT FURTHER RESOLVED, That an appropriate copy of this resolution be sent to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of Tennessee's Congressional Delegation.

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